

### REMARKS

In the Office Action, the Examiner repeated a Restriction Requirement, and, due to this Restriction Requirement, withdrew Claim 10 from consideration in this application. Of the remaining claims, Claims 1-9 and 11-13 and 15-22 were rejected over the prior art, principally U.S. patent application no. 2002/0038299 A1 (Zernik. et al.). Also, Claims 14 and 20 were rejected under 35 U.S.C. §112 as being indefinite. The Examiner objected to Claim 14 as being dependent upon a rejected base claim, and indicated that Claim 14 would be allowable if appropriately rewritten and amended to overcome the rejection under 35 U.S.C. §112.

With respect to the rejection of the Claims over the prior art, Claims 1-3, 5-9, 11 and 16-20 were rejected under 35 U.S.C. §102(e) as being fully anticipated by Zernik, et al.). Claims 12, 13, 21 and 22 were rejected under 35 U.S.C. §103 as being unpatentable over Zernik, et al; and Claims 4 and 15 were rejected under 35 U.S.C. §103 as being unpatentable over Zernick in view of U.S. Patent 6,182,090 (Peairs).

In response to the Restriction Requirement, Applicants hereby affirm the election of Claims 1-9 and 11-22 for prosecution in this application.

Independent Claims 1, 7, 11, 15, 16 and 18 are being amended to better define the subject matters of these claims. Claim 14 is being rewritten in independent from, including the limitations of Claim 11 and to address the Examiner objection to Claim 14 as being indefinite, and to improve the readability of the claim. Editorial corrections are being made to Claims 20-22 to improve the form of the claims.

With respect to Claim 14, this claim is being rewritten, as mentioned above, to include the limitations of Claim 11. In addition, Claim 14 is being amended to describe the larger, smaller and middle sized parts of the file in the preamble of the claims. Also, as presented in Claim 14, the matcher is described as being used to create composite icons, and this provides a clear relationship between the composite icons and the rest of the claim. Accordingly, Claim 14 is now clear and definite within the meaning of 35 U.S.C. §112. Moreover, in view of these amendments to Claim 14, the Claim patentably distinguishes over the prior art and is allowable. The Examiner is, hence, respectfully requested to reconsider and to withdraw the rejection of Claim 14 under 35 U.S.C. §112 and the objection to the claim, and to allow this claim.

In rejecting Claim 20 under 35 U.S.C. §112, the Examiner objected to the word "which," and this opportunity is being taken to delete the "which" clause from the claim. It is believed that this fully addresses the rejection of Claim 20 under 35 U.S.C. §112, and the Examiner is also asked to reconsider and to withdraw this rejection of the claim.

Applicants' also believe, for the reasons discussed below, that Claims 1-9, 11-13 and 15-22 patentably distinguish over the prior art and are allowable.

The present invention, generally, relates to methods and systems for improving the searching of computer files via representation of their content as icons.

The primary reference, Zernik, et al, relied on by the Examiner to reject the claims, also generally relates to the facilitation of presentation of information. More specifically, in the system disclosed in this reference, web pages are analyzed to identify their content, and these pages are then associated with images that are displayed to help a user quickly understand the content of the web pages.

There are, however, a number of important differences between the present invention and the system disclosed in Zernik, et al. One important difference is that, with this invention the content of the computer files is determined by analyzing the words of those files, while with the procedure disclosed in Zernik, the content of the web pages is determined by analyzing images on those pages.

It is noted that in the summary section of the Zernick patent application, paragraph 25, Zernik includes a brief reference to analyzing textual content of information. There is, though, no teaching of analyzing the textual content of the *web* pages. This short paragraph in the summary of Zernik may refer to the procedure, discussed in paragraph 43, by which a language is studied to identify words, phrased and idiomatic expressions.

Independent Claims 1, 7, 11, 15, 16 and 18 are being amended to better describe the above-discussed feature of the invention. In particular, Claim 1, which is directed to a system for determining and displaying icons, is being amended to indicate that the associating means associated the examined words of the text file with an icon, and that the selector selects an icon on the basis of these examined words. Also, Claim 7, which is directed to a system for representing contents of computer files via icons, is being amended to amended to indicate that the content extractor extracts information from the files from an examination of words in the files.

In a similar manner, Claim 11 is being amended to indicate that the content extractor and matcher perform their respective functions based on an examination of words in the file. Claim 15, which is directed to a method of creating icons, is being amended to indicate that topics are attached to files based on the read word content of the files, and that icons are then generated for the files based on those topics. Claim 16, which is directed to a method of

determining and displaying icons, and Claim 18, which is directed to a program storage device, respectively, are both being amended to indicate that the icons that represent a computer file, are selected on the basis of the examined words in those files.

The above-discussed feature of the invention is of utility because, in comparison to the procedure disclosed in Zernick, it provides a more accurate representation of the true content of the files. The text of a file is more likely to be an accurate indication of the file contents than are the images in the files.

The other references of record have been reviewed, and it is believed that these other references, whether they are considered individually or in combination, are no more pertinent than Zernick. In particular, Peairs was cited for its disclosure of generating composite icons. This reference also fails to disclose or suggest, though, analyzing the word content of computer files and associating icons with those files based on the examined words.

Because of the above-discussed differences between Claims 1, 7, 11, 15, 16 and 18 and the prior art, and because of the advantages associated with those differences, these claims patentably distinguish over the prior art and are allowable. Claims 2-6 and 20-22 are dependent from and are allowable with Claim 1, and Claims 8 and 9 are dependent from Claim 7 and are allowable therewith. Likewise, Claims 12 and 13 are dependent from Claim 11 and are allowable therewith; and Claim 17 and 19 are dependent from, and are allowable with, Claim 16 and 18, respectively. The Examiner is, accordingly, respectfully asked to reconsider and to withdraw the rejection of Claims 1-3, 5-9, 11 and 16-20 under 35 U.S.C. §102 and the rejection of Claims 4, 12, 13, 15, 21 and 22 under 35 U.S.C. §103, and to allow Claims 1-9 and 11-13 and 15-22.

For the reasons discussed above, the Examiner is asked to reconsider and to withdraw the rejections of Claims 14 and 20 under 35 U.S.C. §112 and to reconsider and to withdraw the objection of, and to allow, Claim 14. The Examiner is also respectfully requested to reconsider and to withdraw the rejection of Claims 1-3, 5-9, 11 and 16-20 under 35 U.S.C. §102 and the rejection of Claims 4, 12, 13, 15, 21 and 22 under 35 U.S.C. §103, and to allow Claims 1-9, 11-13 and 15-22. If the Examiner believes that a telephone conference with Applicants' Attorneys would be advantageous to the disposition of this case, the Examiner is asked to telephone the undersigned.

Respectfully submitted,

*John S. Sensny*  
John S. Sensny  
Registration No. 28,757  
Attorney for Applicants

Scully, Scott, Murphy & Presser  
400 Garden City Plaza  
Garden City, New York 11530  
(516) 742-4343

JSS:jy